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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,024	08/18/2004	Masaki Morimatsu	SIMTEK6935	5023
25776	7590	08/18/2006	EXAMINER	
ERNEST A. BEUTLER, ATTORNEY AT LAW 10 RUE MARSEILLE NEWPORT BEACH, CA 92660			LAM, THANH	
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,024

Applicant(s)

MORIMATSU, MASAKI

Examiner

Thanh Lam

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114 was filed in this application after appeal to the Board of Patent Appeals and Interferences, but prior to a decision on the appeal. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 6/9/2006 has been entered.
2. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d) and Supplemental Declaration, those papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,3-5,11-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohuchi (US 4735299).

Regarding claim 1, Ohuchi discloses an electrical generator for an internal combustion engine having an engine shaft (23), said generator being comprised of a hub portion (24) adapted to be affixed for rotation with the engine shaft, a rotor portion (27) integrally (col. 4, Ins. 10-12) formed with said hub portion and having a first, integral cylindrical portion (24) extending in one axial direction therefrom for carrying a plurality of circumferentially spaced permanent magnets (25) for cooperation with a stator (col. 4, Ins. 2-3), and a second, integral cylindrical portion (27) extending in an axial direction opposite to said one axial direction for forming a race for a one way clutch (26) for rotatably coupling a starter gear (31) to the engine shaft.

Regarding claim 3, Ohuchi discloses the hub portion has radially extending flange from which the cylindrical portions extend.

Regarding claim 4, Ohuchi discloses the cylindrical portions are radially spaced from each other.

Regarding claim 5, Ohuchi discloses the radially extending flange from which the cylindrical portions extend has a step dividing it into radially inner and outer portions.

Regarding claim 11, Ohuchi discloses permanent magnets affixed to the first, integral cylindrical portion and a one way clutch cooperating with the second, integral cylindrical portion, the hub portion being fixed for rotation with an engine shaft.

Regarding claim 12, Ohuchi discloses including a starter gear journalled on the engine shaft and coupled thereto by the one way clutch.

Regarding claim 13, Ohuchi discloses the hub portion has radially extending flange from which the cylindrical portions extend.

Regarding claim 14, Ohuchi discloses the cylindrical portions are radially spaced from each other.

Regarding claim 15, Ohuchi discloses the radially extending flange from which the cylindrical portions extend has a step dividing it into radially inner and outer portions.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2,6-10,16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohuchi in view of Tajima et al. (US 6,739,977).

Regarding claims 2,6,16, Ohuchi discloses all the aspect of the claimed invention except for the surface of one of the integral cylindrical portion is hardened.

Tajima et al. disclose a surface of one of the integral cylindrical portion is hardened (302) for purpose of strengthen the rotor.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the surface of Ohuchi to accommodate the surface is hardened as taught by Tajima et al. in order to improve the strength of the rotor.

Regarding claims 7, 17, the proposal in combination of Ohuchi and Tajima et al. disclose the surface of the second, integral cylindrical portion forming the race is hardened.

Regarding claims 8, 18, the proposal in combination of Ohuchi and Tajima et al. disclose the surface of the radially extending flange from which the second, integral cylindrical portion extends is also hardened.

Regarding claims 9,19, the proposal in combination of Ohuchi and Tajima et al. disclose a fillet is formed at the juncture of the hardened surfaces.

Regarding claims 10,20 the proposal in combination of Ohuchi and Tajima et al. disclose the surface of the fillet is also hardened.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (571) 272-2026. The examiner can normally be reached on tu-th 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren E. Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Thanh Lam', with a stylized, flowing script.

Thanh Lam
Primary Examiner
Art Unit 2834
